



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,760	12/12/2003	John Charles Calhoun	5486-0140PUS1	8738

67321 7590 07/13/2007
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 GATEHOUSE ROAD
SUITE 100 EAST
FALLS CHURCH, VA 22040-0747

EXAMINER

BERHANU, SAMUEL

ART UNIT	PAPER NUMBER
----------	--------------

2838

MAIL DATE	DELIVERY MODE
-----------	---------------

07/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/733,760

Applicant(s)

CALHOON ET AL.

Examiner

Samuel Berhanu

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-21 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-15 and 28-30 is/are allowed.
- 6) ☒ Claim(s) 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 16-19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lyon (US 2004/0145342) in view of Gosior et al. (US 2002/0159434), in view of Stephens (US 5,734,254), in view of Remy Chevalier (Prius in the Wild, 1998).

Regarding Claim 16, Lyon discloses in Figure 2, a computer implemented method of charging a battery with a battery pack, comprising the step of: receiving a polling message (receiving a command) from a charging source (Paragraph 0025)); the polling message including a data structure having a header and a payload transmitting a request for power to the charging source (; responsive to the polling message (paragraph 027); and receiving inductive power or an inductive data communication (242, 243) from the charging source responsive to the transmitted request (Paragraph 0027, 0029, 0032, 0033); generating a direct current responsive to the received inductive power; transmitting the direct current to charge battery, (the rectifier 230, generates a direct current) . Lyon does not disclose the polling message including a data structure having a header and a payload and the battery being separate from the

Art Unit: 2838

battery pack. However, Gosior et al. disclose in Figure 8, data communications to the battery pack based on a polling message having a data communications to the battery pack based on a polling message having a header and a payload (Paragraphs 0122). It would have been obvious to a person having ordinary skill in the art at the time of the invention to use a polling message that contains a payload, and a header as taught by Gosior et al. in Lyon's adaptive charger system and method in order to provide an efficient and reliable data transfer means for the charger and the device or the battery pack. Further, Stephens discloses in Figures 1 and 3, the battery being separate from the battery pack (210) (noted that the battery pack (210) is isolated from the battery of the portable electronic device (290) (See also Column 5, lines 8-15. It would have been obvious to a person having ordinary skill in the art at the time of the invention to add a DC connection means to the battery and to isolate the battery pack and the portable device battery as taught by Stephens in Lyon apparatus in order to provide energy from a power source independently to the electronic device and charge the energy supplies independently, such as a battery or battery packs. However, Lyon, Gosior et al, and Stephens do not disclose explicitly, displaying an object on a graphical user interface, in response to the step of receiving, in order to visually indicate that external power is being received, wherein the displayed object visually differentiates between receiving inductive power and utility power; However, Chevalier discloses in page 2 that a computer screen that displays a type of power operating the vehicle. It would have been obvious to a person having ordinary skill in the art to use a computer

Art Unit: 2838

screen with cool animation as taught by Chevalier in Lyon's apparatus in order to allow the user easily distinguish the power available to operate the device.

Regarding Claim 17, Lyon discloses in Figure 2, the step of transmitting includes a step of transmitting charging parameters to the charging source (paragraph 027).

Regarding Claim 18, Lyon discloses in Figure 2, the step of transmitting includes a step of transmitting authenticating data (a device information data) to charging source (paragraph 027 and 0033)

Regarding Claim 19, Lyon discloses in Figure 2, a step of initiating a charger responsive to the step of receiving ((paragraph 027).

Regarding Claim 21, Chevalier discloses on page 2, wherein the step of displaying an object on a graphical user interface includes displaying an icon.

3. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lyon (US 2004/0145342) in view of Gosior et al. (US 2002/0159434), in view of Stephens (US 5,734,2540) and in view of Remy Chevalier as applied to claim 16 above, and further in view of Higuchi et al. (US 6,163,132)

Regarding Claim 20, Higuchi et al disclose in Figures 1 and 2 a step of transmitting data to a computer system for indicating the step of receiving inductive power (Column 4, lines 33-38). It would have been obvious to a person having ordinary skill in the art at the time of the invention to add a computing and indicating system to the battery pack in Lyon's adaptive charger system and method as taught by Higuchi et al. in order to monitor battery status.

Art Unit: 2838

Response to Arguments

1. Applicant's arguments with respect to claims 8-21 and 28-30 have been considered but are moot in view of the new ground(s) of rejection,

Allowable Subject Matter

1. Claims 8-15 and 28-30 allowed.
2. The following is an examiner's statement of reasons for allowance:
For Claim 8: Primarily, the prior art of record does not disclose or suggest in the claimed combination: wherein the processor unit is programmed to operate in a polling mode; a coil controlled by the processor unit to alternate between an energized and a de-energized state at regular intervals while in the polling mode and configured for receiving the inductive energy and for receiving inductive data

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory

Art Unit: 2838

action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel Berhanu whose telephone number is 571-272-8430. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl Easthom can be reached on 571-272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BAO Q. VU
PRIMARY EXAMINER